IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.7 OF 2006

Smt.Vaishali D. Chaudhari. ..Applicant.

V/s.

Shri Dinesh T. Chaudhari. ..Respondent.

Mr. S.S.Deshmukh for applicant.

Mr.R.G.Ketkar with Sandesh Patil for Respondent.

CORAM: A.M.KHANWILKAR,J

DATE : APRIL 18, 2006.

P.C. :

1. Heard counsel for the parties.

2. Further affidavit sworn by the respondent tendered across the bar be filed in registry in the course of the day.

3. After hearing counsel for the parties, respondent through his counsel submits that he is agreeable for the transfer of the case, provided direction is given to the concerned trial court to ensure expeditious disposal of the case and preferably to be heard on day to day basis. Accordingly, this petition is allowed in terms of prayer clause (a) and (b) with further direction that

the Family Court/Civil Judge Senior Division, at Pune, before whom proceedings will be now proceeded, shall ensure that same is disposed of expeditiously, preferably by end of September, 2006.

4. The parties through their counsel undertake to extend full cooperation for early disposal of the case. The trial court may proceed on day to day basis once hearing commence after transfer of the case, so as to ensure that the case is finally disposed of by end of September, 2006.

5. It is further agreed between the parties that the petitioner will be entitled to cross-examine the witness already examined before the Family Court at Pune, where the case will stand transferred and the respondent will not take any technical objection to the effect that the said order has become final. In other words, by consent of the parties, the order of closing cross-examination of witness examined by the respondent dated 10th January, 2006 will not be given effect to.

6. Parties to appear before the Family Court, Pune on 12th June, 2006.